

FILED
 UNITED STATES DISTRICT COURT
 ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEW MEXICO

OCT 09 2019

MITCHELL R. ELFERS

CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGELITA BENALLY,

Defendant.

CRIMINAL NO. 19-3595 WJ

Count 1: 18 U.S.C. §§ 1153 and 1112:

Involuntary Manslaughter;

Count 2: 18 U.S.C. §§ 1153 and

113(a)(6): Assault Resulting in Serious

Bodily Injury.

INDICTMENT

The Grand Jury charges:

Count 1

On or about March 5, 2019, in Indian Country, in Cibola County, in the District of New Mexico, the defendant, **ANGELITA BENALLY**, an Indian, unlawfully killed John Doe 1, by operating a motor vehicle without due caution and circumspection and with a wanton and reckless disregard for human life when she knew or should have known that her conduct imperiled the lives of others, and while in the commission of an unlawful act not amounting to a felony, that is while: (1) driving any vehicle carelessly and heedlessly in willful or wanton disregard of the rights or safety of others without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, in violation of N.M. Stat. Ann. § 66-8-113; and (2) driving a vehicle under the influence of intoxicating liquor, N.M. Stat. Ann. § 66-8-102(A) (1978).

In violation of 18 U.S.C. §§ 1153 and 1112.


Count 2

On or about March 5, 2019, in Indian Country, in Cibola County, in the District of New Mexico, the defendant, **ANGELITA BENALLY**, an Indian, assaulted John Doe 2, and the assault resulted in serious bodily injury.

In violation of 18 U.S.C. §§ 1153 and 113(a)(6).

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY


Assistant United States Attorney



10/4/2019 10:41 AM